IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

Bail Appl..No. 7302 of 2006()

CRIME NO.504/06 OF KADAKKAL POLICE STATION

PETITIONER/ACCUSED NO.6

SHARAFATH, S/O. MUHAMMEDMALLA,
MALLAM HOUSE, CHADAYAMANGALAM VILLAGE,
KOLLAM DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT: COMPLAINANT

STATE OF KERALA, THROUGH THE
SUB INSPECTOR OF POLICE, KADAKKAL POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7302 OF 2006

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DATED THIS THE 8TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the 6th accused in Crime No.504/06 of Kadakkal Police Station for offences punishable under Sections 143, 147, 148 read with section 149 I.P.C., section 5 of the Explosive Substances Act and section 27 of the Arms Act, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Kottarakkara and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn